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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Nagashisa CHIKAZAWA et al.**

Group Art Unit: **2627**

Serial No.: **09/811,526**

Examiner: **Colin M. Larose**

Filed: **March 20, 2001**

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Attorney Docket Number: **010363**
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RESPONSE TO PTO COMMUNICATION OF APRIL 21, 2006

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

May 9, 2006

Sir:

Applicants respond herein to the PTO communication of April 21, 2006, in which the PTO indicated that applicants' submission of February 10, 2006 was a Reply Brief failing to comply with 37 C.F.R. § 41.41(a).

Applicants did not submit a Reply Brief on February 10, 2006; instead, they submitted an Amendment under 37 C.F.R. § 1.111. The Examiner's Answer of December 19, 2005 acknowledges on page 12 that applicants have the option of reopening prosecution. Applicants' Amendment of February 10, 2006 clearly states on page 1 that prosecution is reopened. The submission is clearly entitled "AMENDMENT UNDER 37 C.F.R. § 1.111" instead of "REPLY BRIEF."

Upon receipt on April 21, 2006 of the PTO's notice, applicants' undersigned representative contacted by telephone the Examiner of record to explain that the submission was

not a reply brief. The Examiner indicated the designation as a reply brief was inadvertent and that an Office Action would be issued.

Because applicants have not yet received an Office Action from the PTO, they submit the present documentation to evidence a timely response.

Consideration of the amendment of February 10, 2006 is now requested.

If this paper is not timely filed, applicants petition for an extension of time. The fee for the extension, and any other fees that may be due, may be debited from Deposit Account No. 50-2866.

Respectfully submitted,

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